

October 8, 2008

Margaret Jacot
Assistant Attorney General
Suite 900
445 Minnesota Street
St. Paul, MN 55101-2127

Stacia Marie Jones
Senior Legal Counsel
Abercrombie & Fitch
6301 Fitch Path
New Albany, OH 43054

Ian S. Laurie
Laurie & Laurie P.A.
1660 South Highway 100
508 East Parkdale Plaza Building
St. Louis Park, MN 55416-1534

Laura S. Weintraub
Johnson, Killen & Seiler
230 West Superior Street, Suite 800
Duluth, MN 55802

Re: *State of Minnesota by Velma J. Korbel, Commissioner, Department
of Human Rights vs. Abercrombie & Fitch*
OAH Docket No. 3-1700-19494-2

Dear Counsel:

This letter constitutes the Third Prehearing Order concerning matters discussed in the telephone prehearing conference held on October 7, 2008. Ms. Jacot appeared for the Department of Human Rights (Department); Mr. Laurie appeared for the Intervenors; and Ms. Jones and Ms. Weintraub appeared for Abercrombie & Fitch (Respondent).

We set the following deadlines:

November 14, 2008: Deadline for expert witness disclosure by the Department and any additional disclosure by Intervenors, in compliance with the requirements of Minn. R. Civ. P. 26.02(d).

December 12, 2008: Deadline for expert witness disclosure by the Respondent, in compliance with the requirements of Minn. R. Civ. P. 26.02(d).

January 9, 2009: Discovery deadline. All discovery requests shall be served sufficiently prior to this deadline to allow for timely responses by this date.

February 6, 2009: Dispositive motion deadline.

February 20, 2009: Deadline for responses to any dispositive motions.

February 27, 2009: Deadline for reply to any dispositive motions.

March 24, 2009: Deadline for exchanging exhibits and witness lists. The witness lists shall contain a brief summary of the expected testimony of each witness. The parties shall provide copies of the exhibit and witness lists to the Administrative Law Judge.

April 7-8, 2009: Hearing, commencing at 9:30 a.m. at the Office of Administrative Hearings.

Sincerely,

s/Kathleen D. Sheehy

KATHLEEN D. SHEEHY
Administrative Law Judge
Telephone: (651) 361-7848

cc: Docket Coordinator